

Existing law, relative to workers' compensation benefits, provides that in addition to any other benefit to which an injured employee may be entitled under the workers' compensation laws, an employee suffering an injury as a result of an accident arising out of and in the course and scope of his employment shall be entitled to a permanent partial disability payment of \$30,000, payable within one year after the date of the injury. Provides that interest on such payment shall not commence to accrue until after it becomes payable.

Existing law provides that in a claim for injury benefits, it shall be established by clear and convincing evidence that the employee suffers an injury and that such injury resulted from an accident arising out of and in the course and scope of his employment. Provides that existing law shall not limit the right of any party to obtain a second medical opinion or the opinion of an independent medical examiner.

Existing law provides that only the following injuries shall be considered injuries for which such benefits under existing law may be claimed:

- (1) Paraplegia or quadriplegia or the total anatomical loss of both hands, or both arms, or both feet, or both legs, or both eyes, or one hand and one foot, or any of two thereof. Functional loss or loss of use shall not constitute anatomical loss.
- (2) Third degree burns of 40% or more of the total body surface.

Existing law provides that, notwithstanding R.S. 23:1291.1 and 1377, any benefit paid pursuant to existing law for injuries shall be reported separately from payments for other benefits and shall not be subject to assessment by the office of workers' compensation or the second injury board.

New law retains existing law.

Prior law provided that injury benefits applied to a claim arising from an injury which occurred on or after May 1, 1996 and before July 1, 1999.

New law extends the applicability date from July 1, 1999 to July 1, 2003.

Effective upon signature of the governor (June 18, 1999).

(Amends R.S. 23:1221(4)(s)(v))